

## REMARKS

### I. Introduction

Applicants' and Applicants' representative would like to thank Examiner Lee for the indication of allowance of claim 14. In response to the Office Action dated March 28, 2005, Applicants have amended claims 1 and 7-13 so as to further clarify the claimed subject matter. Support for these amendments can be found, for example, at page 5, lines 15-26 of the specification. No new matter has been added.

For the reasons set forth below, Applicants respectfully submit that all pending claims are patentable over the cited prior art references.

### II. The Rejection Of Claims 1, 11-12 and 16-17 Under 35 U.S.C. § 102

Claims 1, 11-12 and 16-17 rejected under 35 U.S.C. § 102 (e) as being anticipated by USP No. 6,069,902 to Kurano. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1 recites in-part a time stamp adding unit for adding the reference time stamp detected by said time stamp detector to the transport packet as a first header information, where the reference time stamp is transmitted from a broadcast station.

In the statement of rejection, the Examiner reads the time stamp provider 17 of Kurano as corresponding to the claimed time stamp adding circuit. However, Applicants respectfully disagree with such an interpretation. Specifically, as described throughout the specification, the time stamp adding unit adds the value of the reference time stamp received from the broadcast station to the transport packet with its value unchanged. That is, the reference time stamp is placed into the

transport packet with the value of the reference time stamp received from the broadcast station *unmodified*, as readily demonstrated in Fig. 2A and at page 5, lines 15-26 of the specification.

In contrast, as expressly stated at col. 5, lines 36-52 of Kurano, the time stamp provider 17 of Kurano adds the transmission time-stamp (i.e., the first time stamp) and the recording time stamp (i.e., second time stamp) to the data packet so as to transform the result into a source packet (see, col. 5, lines 48-51). Precisely, the first time stamp is generated and modified by *latching* the value of the CTR 19 at the arriving time of the data packet and *adding* the count value corresponding to the predetermined maximum delay time between the receiver 100 and the recording/reproducing apparatus 101 to the latched value. Similarly, the second time stamp of Kurano is generated and modified by *latching* the value of the counter 12 of a 27 MHz PLL 11 at the arrival time of the data packet.

Accordingly, as the time stamp provider 17 of Kurano modifies the value of the reference time stamp whereas the claimed time stamp adding unit adds the reference time stamp without changing the value of the reference time stamp, it is respectfully submitted that the time stamp provider 17 of Kurano does not disclose the time stamp adding unit recited by claim 1.

Accordingly, Applicants respectfully submit that Kurano does not anticipate claim 1.

Furthermore, claim 1 has been amended to recite “the reference time stamp is transmitted from a broadcast station.” As such, the claimed time stamp adding unit adds the value of the reference time stamp received from the broadcast station to the transport packet. Kurano also fails to disclose or suggest this aspect of claim 1.

With respect to claims 11 and 12, as these claims also include the claimed feature “a time stamp adding unit for adding the reference time stamp detected by the time stamp detector,” where

the reference time stamp is transmitted from a broadcast station, it is respectfully submitted that claims 11 and 12 are patentable over Kurano for reasons discussed above with respect to claim 1.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and at a minimum, Kurano fails to disclose the foregoing claim elements, it is clear that Kurano does not anticipate claim 1, 11 or 12, or any of the claims dependent thereon.

### III. The Rejection Of Claims 1, 7-11, 13 and 15-17 Under 35 U.S.C. § 102

Claims 1, 7-11, 13 and 15-17 are rejected under 35 U.S.C. § 102 (b) as being anticipated by WO 95/26596 to Wasilewski. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1 recites in-part a time stamp adding unit for adding the reference time stamp detected by said time stamp detector to the transport packet as a first header information.

In the statement of rejection, the Examiner reads the adder/subtractor unit 176 of Wasilewski as corresponding to the claimed time stamp adding unit. However, once again, Applicants respectfully disagree with such an interpretation. Specifically, as discussed *supra*, the claimed time stamp adding unit reads the reference time stamp received from the broadcast station obtained through the time stamp detector 2 and the memory 3, and adds this reference time stamp to the transport packet as the first header information. Accordingly, the reference time stamp is placed to the transport packet with the value of the reference time stamp *unmodified*.

In direct contrast, as expressly disclosed at page 23, lines 30-35 and page 24, lines 23-26 of Wasilewski, the adder/subtractor unit 176 modifies the PCR/DPCR segment extracted from the

transport stream by the PCR/DPCR extraction module 174 through addition and subtraction. Then, the multiplexer 180 replaces the PCR/DPCR segment of the transport stream with the PCR/DPCR value previously processed by conducting addition/subtraction at the adder/subtractor unit 176. In other words, the multiplexer 180 replaces the value of the PCR/DPCR segment in the received transport packet with the result obtained through the addition/subtraction operation of the adder/subtractor unit 176.

Thus, it is clear that the adder/subtractor unit 176 of Wasilewski does not correspond to the time stamp adding unit recited by claim 1, because the adder/subtractor unit 176 of Wasilewski modifies the value of the alleged reference time stamp, whereas the claimed time stamp adding unit maintains the value of the reference time stamp received from the broadcast station.

With respect to claims 7-11 and 13, as these claims also include the claimed feature “a time stamp adding unit,” it is respectfully submitted that claims 7-11 and 13 are patentable over Wasilewski for at least the reasons discussed above with respect to claim 1.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and at a minimum, Wasilewski fails to disclose the foregoing claim elements, it is clear that Wasilewski does not anticipate claim 1, 7-11 or 13, or any of the claims dependent thereon.

**IV. All Dependent Claims Are Allowable Because The Independent Claims From Which They Depend Are Allowable**

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are

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contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 1 and 7-13 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also in condition for allowance.

V. Conclusion

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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